

**§ 1310.03 Persons required to keep records and file reports.**

(a) \* \* \*

(b) Each regulated person who manufactures a listed chemical shall file reports regarding such manufactures as specified in § 1310.05.

3. Section 1310.05 is proposed to be amended by adding a new paragraph (d) to read as follows:

**§ 1310.05 Reports.**

\* \* \* \* \*

(d) Each regulated bulk manufacturer of a listed chemical shall submit manufacturing, inventory and use data on an annual basis as set forth in § 1310.06(h). This data shall be submitted annually to the Drug and Chemical Evaluation Section, Drug Enforcement Administration (DEA), Washington, DC 20537, on or before the 15th day of March of the year immediately following the calendar year for which submitted. This reporting requirement does not apply to drug or other products which are exempted under § 1310.01(f)(1)(iv) or § 1310.01(f)(1)(v) except as set forth in § 1310.06(h)(5). If an existing standard industry report contains the information required in § 1310.06(h) and such information is separate or readily retrievable from the report, that report may be submitted in satisfaction of this requirement. Each report shall be submitted to the DEA under company letterhead and signed by an appropriate, responsible official. For purposes of this paragraph only, the term regulated bulk manufacturer of a listed chemical means a person who manufactures a listed chemical by means of chemical synthesis or by extraction from other substances. The term bulk manufacturer does not include persons whose sole activity consists of the repackaging or relabeling of listed chemical products or the manufacture of drug dosage form products which contain a listed chemical.

4. Section 1310.06 is proposed to be amended by adding a new paragraph (h) to read as follows:

**§ 1310.06 Content of records and reports.**

\* \* \* \* \*

(h) Each annual report required by § 1310.05(d) shall provide the following information for each listed chemical manufactured:

(1) The name, address and chemical registration number (if any) of the manufacturer and person to contact for information.

(2) The aggregate quantity of each listed chemical that the company manufactured during the preceding calendar year.

(3) The year-end inventory of each listed chemical as of the close of business on the 31st day of December of each year. (For each listed chemical, if the prior period's ending inventory has not previously been reported to DEA, this report should also detail the beginning inventory for the period.)

(4) The aggregate quantity of each listed chemical used for internal consumption during the preceding calendar year.

(5) The aggregate quantity of each listed chemical manufactured and converted to a product exempted under § 1310.01(f)(1)(iv) or § 1310.01(f)(1)(v) during the preceding calendar year.

(6) Data shall identify the specific isomer, salt or ester when applicable but quantitative data shall be reported as anhydrous base or acid to the nearest kilogram.

Dated: September 11, 1995.

Stephen H. Greene,

*Deputy Administrator, Drug Enforcement Administration.*

[FR Doc. 95-23775 Filed 9-25-95; 8:45 am]

BILLING CODE 4410-09-M

**PENSION BENEFIT GUARANTY CORPORATION****29 CFR Part 2615**

RIN 1212-AA77

**Reportable Events**

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of meeting.

**SUMMARY:** This notice announces the first meeting of the Reportable Events Negotiated Rulemaking Advisory Committee.

**DATES:** The first meeting of the committee will be held at 10 a.m. on Wednesday, October 11, 1995.

**ADDRESSES:** The first meeting will be held at PBGC's offices at 1200 K Street, N.W., Washington, D.C. 20005-4026.

**FOR FURTHER INFORMATION CONTACT:** Harold J. Ashner, Assistant General Counsel, or James L. Beller, Attorney, Office of the General Counsel, PBGC, 1200 K Street, N.W., Washington, DC 20005-4026, 202-326-4024 (202-326-4179 for TTY and TDD).

**SUPPLEMENTARY INFORMATION:****Background**

On August 11, 1995, the PBGC published a notice of intent to establish a negotiated rulemaking advisory committee to develop proposed amendments to the PBGC's regulations

governing reportable events (60 FR 41033).

The PBGC expects to receive approval of the committee's establishment from the Office of Management and Budget shortly. Upon receipt of approval, the PBGC will publish a notice of the establishment of the committee. The PBGC is publishing this notice before the official establishment of the committee to give 15 days' notice of the meeting.

**First Committee Meeting**

The first meeting of the committee will be held at 10:00 a.m. on Wednesday, October 11, 1995, at the PBGC's offices and will be open to the public. The purpose of the first meeting will be to establish procedures for the conduct of committee activity. The procedures will be consistent with the requirements of the Federal Advisory Committee Act and the Negotiated Rulemaking Act.

Issued in Washington, D.C., this 21st day of September, 1995.

Martin Slate,

*Executive Director, Pension Benefit Guaranty Corporation.*

[FR Doc. 95-23912 Filed 9-25-95; 8:45 am]

BILLING CODE 7708-01-P

**DEPARTMENT OF TRANSPORTATION****Coast Guard****33 CFR 183**

[CGD 95-041]

**Propeller Accidents Involving Houseboats and Other Displacement Type Recreational Vessels**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of availability of report.

**SUMMARY:** In a notice published in the Federal Register on May 11, 1995 (60 FR 25191), the Coast Guard solicited comments from all segments of the marine community and other interested persons on various aspects of propeller accident avoidance. In a second notice published August 9, 1995 (60 FR 40545), the Coast Guard reopened and extended the comment period until November 7, 1995. This notice announces the availability of a report published by the Propeller Guard Subcommittee of the National Boating Safety Advisory Council (NBSAC) dated November 7, 1989.

**Background Information**

By law the Coast Guard is required to consult with NBSAC regarding regulations or other major recreational

boating safety matters. NBSAC consists of 21 members—seven who are State boating officials, seven from the boating industry, and seven representing national boating organizations and/or the general public.

This notice advises readers that the 1989 NBSAC Propeller Guard Subcommittee Report has been placed in the docket and is available for public inspection.

**ADDRESSES:** Requests for copies of the 1989 NBSAC Propeller Guard Subcommittee Report may be mailed to the Executive Secretary, Marine Safety Council (G-LRA/3406)(CGD95-041), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, or may be delivered to room 3406 at the above address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

**FOR FURTHER INFORMATION CONTACT:** Mr. Alston Colihan, Auxiliary, Boating, and Consumer Affairs Division, (202) 267-0981.

Dated: September 18, 1995.

Rudy K. Peschel,

*Rear Admiral, U.S. Coast Guard, Chief, Office of Navigation Safety and Waterway Services.*  
[FR Doc. 95-23802 Filed 9-25-95; 8:45 am]

BILLING CODE 4910-14-M

## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### 36 CFR Part 1228

RIN 3095-AA65

#### Disposition of Federal Records

**AGENCY:** National Archives and Records Administration.

**ACTION:** Proposed rule.

**SUMMARY:** NARA proposes to amend its regulations to require reimbursement for all records maintained in Federal records centers that have exceeded the authorized disposal date. In connection with this requirement, NARA will stipulate that agencies should not request a change in the retention period specified in a records schedule for records that must be kept beyond their normal retention period for audit, investigation, litigation, or any other administrative purpose. NARA is taking this action because the Federal records centers have a serious shortage of storage space and can no longer absorb the cost of storing records beyond their scheduled disposal date.

**DATES:** Comments must be received by November 27, 1995.

**ADDRESSES:** Comments should be sent to Director, Policy and Planning Division (PIRM-POL), National Archives and Records Administration 8601 Adelphi Road, College Park, MD 20740-6001.

**FOR FURTHER INFORMATION CONTACT:** Mary Ann Hadyka or Nancy Allard at 301-713-6730.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Federal Records Act (FRA) confers broad authority on NARA to formulate and implement records management policy for the Federal government. This includes establishing Federal records centers (44 U.S.C. 2907), providing guidance and promulgating standards to ensure adequate documentation of the policies and transactions of the Federal government, ensuring proper records disposition (44 U.S.C. 2904), and implementing procedures for the disposition, disposal, and reproduction of records (44 U.S.C. 3302).

The Federal Records Act does not specifically instruct NARA regarding what records it must store at Federal Records Centers (FRCs) or the length of time for which it must store them. See 44 U.S.C. 2907. For that reason, NARA may determine the scope of service provided at FRCs, so long as NARA acts in a manner that it determines will best serve the public, effectuate sound records management, and implement the policy goals contained in the FRA. See B-211953, slip op. at 5 (Dec. 7, 1984) (Comp. Gen.).

In the Comptroller General decision just cited, the General Accounting Office (GAO) held that the General Services Administration (GSA), then NARA's parent agency, could be reimbursed under the Economy Act for storing and serving current records at FRCs because the function fell outside the range of services that GSA had determined it was required to provide under the FRA and because GSA did not receive appropriations for the service.

The GAO decision recognized that NARA possesses the authority to "promulgate reasonable standards and guidelines for determining when records may be transferred from agency office space to Federal records centers (FRCs), so long as these guidelines are consistent with the statutory goals of promoting economy and efficiency in records management." B-211953, slip op. at 5. Further, GAO noted that it is NARA "which must determine the basis on which it will allocate limited space and resources among client agencies."

NARA historically has interpreted its authority to operate FRCs as permitting

the storage and servicing of temporary records that are retained beyond their scheduled disposition dates for administrative, fiscal, legal, or other reasons, although it never sought appropriations for that purpose. Now, NARA has determined, based on the need to reallocate limited space and resources, that sound records management practice requires that it no longer interpret its responsibilities to include these functions. Therefore, unless Congress specifically appropriates money in the future for the storage and service of temporary records retained beyond their scheduled disposition dates for administrative, fiscal, legal, or other reasons, NARA will, under the Economy Act, provide such service on a reimbursable basis only, so long as doing so does not interfere with the agency's remaining responsibilities to operate FRCs.

##### Problem

Since the establishment of the records center system in 1950, there has been a continuous growth in records holdings. Records center holdings, in fact, have increased from 45,000 cubic feet in 1950 to 18,860,981 cubic feet as of April 1995. We expect the growth to accelerate with the closure of military bases and installations as a result of the Defense Base Closure and Realignment Act of 1990 (Pub. L. 101-510) and general Government-wide downsizing.

Currently, there are 13 Federal records centers and two National records centers. The availability of open space, however, continues to pose a critical challenge. Even with the addition of the Pittsfield FRC, the records center system reached 95 percent of its capacity by the end of FY 1994. It is only through the ongoing major redistribution of records to the Pittsfield FRC and the new FRC in Philadelphia that the records center system has been able to cope with records storage demands.

The presence in records centers of temporary records that have exceeded their scheduled disposition dates has significantly contributed to the reduced storage capacity to meet records storage demands. Indeed, records centers holdings of these retained records have increased by over one million cubic feet in the past five years. In May 1990, the volume of these records was over two million cubic feet, about 12.5 percent of the total holdings for records centers. About 3.2 percent (531,374 cubic feet) of those records were otherwise eligible for disposal, but had to be retained. As of April 1995, records center holdings of these records had increased to 3,247,506 cubic feet and approximately 38.8